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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

-----X  
GLAXO GROUP LIMITED

Plaintiff,

v.

TEVA PHARMACEUTICALS USA, INC. and  
TEVA PHARMACEUTICAL INDUSTRIES  
LIMITED

Defendants.  
-----X

REDACTED  
VERSION

August 4, 2006

Civil Action No. 04-171-KAJ

**SUPPLEMENTAL DECLARATION OF OREN D. LANGER, ESQ., IN SUPPORT  
OF PLAINTIFF GLAXO GROUP LIMITED'S ANSWERING BRIEF TO TEVA'S  
MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

I, Oren D. Langer, Esq., declare as follows:

1. I am an associate at the law firm of Morgan, Lewis & Bockius LLP, counsel to Plaintiff Glaxo Group Limited ("Glaxo").

2. I submit this supplemental declaration in support of Glaxo's answering brief in response to Teva's motion for summary judgment of non-infringement.

3. Attached as exhibit 1 is a true and complete copy of highlighted portions of the deposition transcript of Arthur H. Kibbe, Ph.D., taken in this matter on May 16, 2006.


4. Attached as exhibit 2 is a true and complete copy of highlighted portions of the deposition of Glaxo expert witness Bradley D. Anderson, Ph.D., taken in this matter June 8, 2006.

5. Glaxo produced all of the same documents in connection with the '249 patent to defendant that it had previously produced to Pharmadyne in the *Glaxo v. Pharmadyne*, 32 F. Supp. 2d 265 (D. Md. 1998) matter including Dr. Long's July 24, 1985 File Note, bearing production numbers G5295-97 and produced in this matter on June 7, 2005.

6. Attached as Exhibit 3 is a true and complete copy of excerpts from Zantac® Syrup Project Notebook P590 admitted into evidence in the *Glaxo v. Pharmadyne* matter as Plaintiffs Trial Exhibit 238 and produced to defendant in this action bearing production numbers G026714-876. Dr. Long's July 24, 1985 file note was copied into Project Notebook P590 and appears at pp. G026734-737.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief.

Dated: July 27, 2006



Oren D. Langer, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 4, 2006, I filed a redacted version of **SUPPLEMENTAL DECLARATION OF OREN D. LANGER, ESQ. IN SUPPORT OF PLAINTIFF GLAXO GROUP LIMITED'S ANSWERING BRIEF TO TEVA'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT** with the Clerk of Court and will hand deliver such filing to the following:

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I hereby certify that on August 4, 2006, I have served via Federal Express, the document to the following non-registered participants:

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